



U.S. Department of Justice  
Justice Management Division  
Personnel Staff  
Web Site: <http://www.usdoj.gov/jmd/ps>

Washington, D.C. 20530

SEP 28 2007

MEMORANDUM FOR COMPONENT HUMAN RESOURCES OFFICERS

FROM:

*Raymond A. Pagliarini*  
Raymond A. Pagliarini, Jr.  
Deputy Chief Human Capital Officer/  
Director, Personnel Staff

SUBJECT:

Use of Veterans' Preference and Hiring Flexibilities

In continued support of our long and outstanding record of employing veterans here at the Department of Justice, we would like to thank you for your ongoing commitment to utilizing veterans' preference and hiring flexibilities. In current times of scarce resources, these flexibilities serve as vehicles for the Department to tap into a talented pool of highly experienced applicants with desired skill sets. As a Department, we must remain diligent in examining our hiring processes and procedures to ensure that personnel staff appropriately and consistently apply the rules and regulations regarding veterans' preference in our recruiting and selection activities. The Department continues to encourage use of the following:

***Veterans' Preference*** recognizes the economic loss suffered by citizens who have served their country in uniform, restores veterans to a favorable competitive position for Government employment, and acknowledges the larger obligation owed to disabled veterans. In its present form, veterans' preference comes from the Veterans' Preference Act of 1944, as amended, and is now codified in various provisions of Title 5, United States Code. By law, veterans who are disabled or who served on active duty in the Armed Forces during certain specified time periods or in military campaigns are entitled to preference over others in hiring from competitive lists of eligibles. To receive preference, a veteran must have been discharged or released from active duty in the Armed Forces under honorable conditions.

The ***Veteran's Recruitment Appointment (VRA) Authority*** is a special authority by which agencies can appoint eligible veterans without competition to positions at any grade level through General Schedule (GS) 11 or equivalent. (The promotion potential of the position is not a factor.) VRA appointees are hired under excepted appointments to positions that are otherwise in the competitive service. There is no limitation to the number of VRA appointments an individual may receive, provided the individual is otherwise eligible.

The *Veterans' Employment Opportunities Act (VEOA)* of 1998 as amended by Section 511 of the Veterans Millennium Health Care Act (Pub. Law 106-117) of November 30, 1999, provides that agencies must allow eligible veterans to apply for positions announced under merit promotion procedures when the agency is recruiting from outside its own workforce. A VEOA eligible who competes under merit promotion procedures and is selected will be given a career or career conditional appointment. Veterans' preference is not a factor in these appointments.

The Department's Human Capital Accountability Program focuses significant attention on how we apply the required veterans' preference provisions for delegated examining as well as the use of veterans' hiring flexibilities. It is imperative that all personnel staff members adhere to the specific requirements for the application of these veteran authorities. In an ongoing effort to ensure accountability and appropriate application of veterans' preference and hiring flexibilities, staffing and recruitment activities will be carefully reviewed and evaluated. Inappropriate use and insufficient documentation could result in a loss of the delegated examining authority for the affected component.

Specific guidance on the use and application of veterans' preference and hiring flexibilities can be found in the OPM Delegated Examining Operations Handbook at [http://www.opm.gov/deu/Handbook\\_2007/DEO\\_Handbook.pdf](http://www.opm.gov/deu/Handbook_2007/DEO_Handbook.pdf) and in the OPM Vet Guide at <http://www.opm.gov/veterans/html/vetguide.asp>.

Any questions regarding the use of veterans' preference and hiring flexibilities should be referred to Jeanarta McEachron, Assistant Director, HR Policy, on (202) 514-3663 or via electronic mail at [Jeanarta.C.McEachron@usdoj.gov](mailto:Jeanarta.C.McEachron@usdoj.gov).